

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

**Minute Entry**

**Hearing Information:**

**Debtor:** NATALIE ELAYNE JOHNSON  
**Case Number:** 2:16-BK-10288-EPB      **Chapter:** 13  
**Date / Time / Room:** TUESDAY, DECEMBER 17, 2019 10:00 AM 7TH FLOOR #703  
**Bankruptcy Judge:** EDDWARD P. BALLINGER JR.  
**Courtroom Clerk:** ANNETTE FRANCHELLO  
**Reporter / ECR:** KAYLA COLASONT

**Matters:**

- 1) DEBTOR'S MOTION TO DEMAND PAYMENT FOR ATTORNEY'S FEES AND TO OBTAIN NEW COUNSEL  
R / M #: 129 / 0
- 2) DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY FROM SANTANDER AND  
REQUEST TO DEFER TWO PLAN PAYMENTS  
R / M #: 130 / 0

**Appearances:**

RACHEL ELIZABETH FLINN, ATTORNEY FOR RUSSELL BROWN  
NATALIE ELAYNE JOHNSON, PRO SE DEBTOR  
DAVID L. KNAPPER, ATTORNEY FOR PENSICO TRUST COMPANY CUSTODIAN FBO MARK A.  
GREENBERG IRA  
JAMES BALL, ATTORNEY FOR SANTANDER CONSUMER USA, INC.

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**Proceedings:**

**ITEM # 1**

Ms. Johnson explains that the \$11,000.00 lien was never released on her property. She does not know if the money was paid but believes Pensco is at fault. She states that she cannot sell her home with the lien on the property. She asks that Pensco be ordered to pay her attorney fees to take care of the issue.

The Court explains that Ms. Johnson has not proven Pensco did anything wrong contractually. Therefore, Ms. Johnson cannot get any relief today.

Ms. Johnson responds and continues discussion with the Court.

COURT: IT IS ORDERED denying Debtor's Motion to Demand Payment for Attorney's Fees and to Obtain New Counsel.

**ITEM #2**

Ms. Johnson explains that since the loan did not close, she fell behind two car payments. She confirms that the vehicle is insured but is uncertain whether the lender is named as a loss payee. She states that she has a rough draft of an amended plan prepared that she will file.

Mr. Ball believes the value of the vehicle is between \$8,000.00 and \$9,000.00. He notes that the value is not addressed in the motion. He further states that the monthly payment in \$297.00.

The Court questions whether or not the parties have discussed adequate protection payments.

Mr. Ball has not discussed adequate protection with the Debtor.

The Court questions when Ms. Johnson can pay the car payments.

Ms. Johnson plans to make her regular monthly payment including additional fees on December 22, 2019. She would do the same in January to be caught up. She further answers the Court's questions.

Ms. Flinn has nothing to add.

COURT: IT IS ORDERED that Ms. Johnson pay \$600.00 by December 23, 2019, as agreed to. IT IS FURTHER ORDERED continuing this matter to January 23, 2020 at 10:00 a.m. The Court notes that if Debtor is not current on her car loan, it will grant the motion for relief from stay.

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The Court further refers Ms. Johnson to the Self-Help Center.

Notice sent through the  
Bankruptcy Noticing Center "BNC"  
on 12/19/19 to the following:

Natalie Johnson  
625 S. Westwood Circle, Unit 172  
Mesa, AZ 85210